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Attorneys for Defendants  
JPMORGAN CHASE BANK, N.A.  
U.S. BANK, N.A.

IN THE UNITED STATES DISTRICT COURT  
THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THOMAS HIX,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A., erroneously  
sued as J.P. MORGAN CHASE, et al.,

Defendants.

Case No. 16-cv-01747-NC

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
~~PROPOSED~~ ORDER AS MODIFIED**

Judge: Nathanael Cousins

Action Filed February 17, 2016  
Action Removed April 6, 2016

1 WHEREAS, on July 1, 2016, Defendants JPMorgan Chase Bank, N.A. ("Chase") and U.S.  
2 Bank, N.A. will file a Motion to Dismiss Plaintiff's First Amended Complaint, and will notice a  
3 hearing on that Motion for a time in August or September 2016, subject to the Court's availability;  
4 and

5 WHEREAS, a Case Management Conference is scheduled to occur on July 6, 2016; and

6 WHEREAS, the parties agree that it is more efficient for the parties and the Court to delay  
7 case management and discovery activities until such time as the Court issues an order denying  
8 Defendants' Motion to Dismiss or otherwise permitting the case to advance past the pleading  
9 stage; and

10 WHEREAS, counsel for Defendants will not only be on a scheduled vacation on July 6,  
11 2016, he will be participating by telephone in a case management conference scheduled in San  
12 Mateo County Superior Court in another lawsuit at the same time on July 6 as the scheduled Case  
13 Management Conference in this case.

14 NOW THEREFORE, Plaintiff and Defendants HEREBY STIPULATE AND AGREE AS  
15 FOLLOWS, subject to the Court's permission and approval:

16 1. The Case Management Conference scheduled for July 6, 2016 at 10:00 a.m. shall  
17 be continued until such time as the pleadings in this litigation are resolved.

18 2. In the event the Court denies Defendants' forthcoming Motion to Dismiss, in whole  
19 or in part, the Court shall issue an order resetting the continued Case Management Conference,  
20 and setting a deadline for the submission of a Joint Case Management Statement and for the  
21 parties' exchange of initial disclosures.

22 IT IS SO STIPULATED.  
23  
24  
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26  
27  
28

1 DATED: June 29, 2016

2  
3 DAVIS WRIGHT TREMAINE LLP  
4 Joseph E. Addiego, III  
John D. Freed

5 By: /s/ John D. Freed  
6 John D. Freed

7 Attorneys for Defendants  
8 JPMORGAN CHASE BANK, N.A.  
U.S. BANK, N.A.

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10 Eric Sidebotham

11 By: /s/ Eric Sidebotham  
12 Eric Sidebotham

13 1625 The Alameda, Suite 900  
14 San Jose, CA 95126

15 Attorneys for Plaintiff  
16 THOMAS HIX

17 ORDER

18 Having reviewed the parties' Stipulation to Continue Case Management Conference, the  
19 Court GRANTS the stipulation. The Case Management Conference currently set for July 6, 2016  
20 is CONTINUED to September 14, 2016, at 10:00 a.m., in Courtroom 7, 4th Floor, San Jose. An  
21 updated case management statement is due by September 7, 2016.

22  
23 Dated: June 29, 2016

